

Claims 1, 4, 5, 7-10, 13, 14, 17, 18 and 23 have been amended to more clearly point out and distinctly claim the invention. These amendments do not contain new matter and are fully supported by the specification. For example, support for the phrase "a monochromatic light source" can be found on page 4, line 1; support for the phrase "emits ultrasonic waves which lead to destruction of defective lenses" can be found in the fifth paragraph on page 2, lines 17-24.

After these amendments are entered, twenty four (24) Claims (claims 1, 3-10, and 12-26) are pending. Attached hereto is a marked-up version of the changes made to the **claims** by the present amendment. The attached page is captioned "Version With Marking To Show Changes Made."

Claim Objections

The objection of claims 2, 11 and 23 has been overcome through this Amendment.

Claims Rejections under 35 U.S.C §103

Claims 1-2, 4, 7, 9-11, 13-14, 17-20 and 24 were rejected under 35 U.S.C. §103(a) as being unpatentable over Bui (US6,118,528). For the following reasons, the Examiner's rejection is respectfully traversed.

According to the present invention defective lenses are identified because they are destroyed when exposed to an ultrasonic field while perfect lenses remain undamaged. In other words lenses are tested based on their mechanical resistance. In order to cause the destruction of a defected lens a sufficiently high and homogeneous ultrasonic power throughout the entire lens has to be applied. In the claimed invention this is achieved by immersing the sonotrode in a test liquid in such a way that the oscillation emanating from the sonotrode are transferred to the liquid (page 2, lines 25-28) which completely surrounds the lens to be inspected (Fig. 1) .

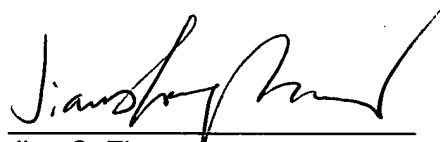
Bui discloses a device and method for measuring the thickness of an optical lens. In Bui, the thickness measurement is based on the difference in time between the reflection from the upper surface of the lens and the reflection from the lower surface of the lens (column 2, lines 21-26). Applicants submit that the device and method of Bui are directed to characterize an optical lens (i.e., measuring lens thickness) and are not directed to inspect ophthalmic lenses for defects. In addition, Bui does not disclose nor suggest anything about inspection of lenses for defects and about the use of ultrasonic waves to destroy defective lenses. Applicants respectfully submit the Applicants invention as currently claimed is patentable over Bui and request withdrawal of the 35 U.S.C. §103(a) rejection.

CONCLUSION

In view of the foregoing and in conclusion, Applicants submit that the rejections set-forth in the Office Action have been overcome, and that all pending claims (claims 1, 3-10, and 12-26) are now in condition for allowance.

Should the Examiner believe that a discussion with Applicants' representative would further the prosecution of this application, the Examiner is respectfully invited to contact the undersigned. Please address all correspondence to Thomas Hoxie, Novartis Corporation, Corporate Intellectual Property, One Health Plaza, Bldg. 430, East Hanover, NJ 07936-1080. The Commissioner is hereby authorized to charge any other fees which may be required under 37 C.F.R. §§1.16 and 1.17, or credit any overpayment, to Deposit Account No. 19-0134.

Respectfully submitted,


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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the claims:

Please cancel claims 2 and 11. Please amend claims 1, 4, 5, 7-10, 13, 14, 17 and 18 as follows:

1. (twice amended) An inspection device for inspecting an ophthalmic lens for defects ~~examining ophthalmic lenses~~, comprising an ultrasonic processor (2) with a sonotrode (4) and a holding container (6) open at the top, wherein one or more ophthalmic lenses to be inspected (5) are placed in the holding container which is filled with a test liquid; and are surrounded entirely by the test liquid, wherein, when in use, the sonotrode (4) is immersed in the test liquid in the holding container (6), and wherein emits ultrasonic waves which lead to destruction of defective lenses ~~the ophthalmic lenses (5) are located in the holding container (6) are sonicated with ultrasound~~.

4. (twice amended) An inspection device according to claim 1, wherein the holding container (6) is of cylindrical shape.

5. (twice amended) An inspection device according to claim 1, wherein the ultrasonic processor (2) operates in a frequency range of 20 to 30 kHz.

7. (twice amended) An inspection device according to claim 1, wherein the butt end of the sonotrode (4) has a diameter of 14 mm.

8. (twice amended) An inspection device according to claim 1, wherein the holding container (6) is mounted on a spring-loaded holding plate (7).

9. (twice amended) An inspection device according to claim 1, wherein the sonotrode (4) is surrounded by a sealing sleeve (8) which seals off the holding container during immersion of the sonotrode (4).

10. (twice amended) A method of inspecting ophthalmic lenses for defects, comprising the steps of: placing the ophthalmic lenses in a holding container filled with a test liquid in such a way that the test liquid surrounds entirely the ophthalmic lenses; and exposing the ophthalmic lenses to an ultrasonic field thereby leading to destruction of defective lenses.

13. (twice amended) A method according to claim 10, wherein an ultrasonic processor (2) with a sonotrode (4) is used to produce the ultrasonic field.

14. (twice amended) A method according to claim 10, wherein a cylindrical holding container (6) is used to position the ophthalmic lenses in the test liquid.

17. (twice amended) A method according to claim 13, wherein a sonotrode (4) with a butt end of 14 mm diameter is used.

18. (twice amended) A method according to claim 13, wherein the sonotrode (4) is surrounded by a sealing sleeve (8) which seals off the holding container (6) during immersion of the sonotrode (4).

23. (amended) An inspection device according to claim 22, wherein the frequency lies in the range of 23 to 245 kHz.